NO. 272770

IN THE SUPREME COURT

OF THE STATE OF WASHINGTON

828608-7

VINCENT ADOLPH

PETITIONER,

V.

STATE OF WASHINGTON

RESPONDENT

ANSWER TO PERSONAL RESTRAINT PETITION

KARL F. SLOAN
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Okanogan County, Washington

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A. IDENTITY OF RESPONDENT

The Respondent is the State of Washington, represented by Karl F. Sloan, Okanogan County Prosecuting Attorney.

B. DECISION

The decision at issue is whether the Court should grant relief pursuant to Petitioner's PRP from the trial court's imposition of a sentencing enhancement to the defendant's conviction for vehicular homicide and vehicular assault, based on the defendant's prior conviction for DUI in Lincoln County.

C. ISSUES PRESENTED FOR REVIEW

1. Should relief under the PRP be granted where Petitioner has not presented any basis to grant review under RAP 16.4?

2. Should relief under the PRP be granted where the PRP is not timely and equitable tolling does not apply?

3. Should relief under the PRP be granted where Petitioner failed to properly raise the issue on appeal?

4. Should relief under the PRP be granted where the Petitioner failed to acknowledge the certified judgment from Lincoln County that was provided to the Court at sentencing?

5. Should relief under the PRP be granted where Petitioner seeks exclusion of his Lincoln County DUI conviction when he failed to specifically object to the conviction and where the

proper remedy even if he had objected was to allow the State to provide information supporting the conviction?

D. STATEMENT OF THE CASE

Additional Procedural Facts

The defendant was found guilty on June 3, 2005, following a jury trial of Vehicular Homicide and Vehicular Assault. He was sentenced on September 19, 2005. The sentence included three enhancements pursuant to RCW 46.61.520 for the defendant's prior DUI convictions, including a conviction for DUI in Lincoln County on March 19, 1992.

At sentencing, the trial court found the State properly proved the prior Lincoln County DUI conviction, based on the certified driving abstract maintained by the Department of Licensing and the defendant's criminal history as maintained in the Judicial Information System.

Moreover, in addition to a certified driving abstract referenced in the PRP, the State also filed a certified copy of both the Lincoln County docket and the Lincoln County judgment with the court on the date of sentencing. *RP Sentencing, pg. 87.* The judgment is contained on the lower section of the original criminal citation. *See attached.* The defendant's attorney acknowledged the documents were valid

and agreed to their being made part of the record. *RP Sentencing, pg. 88.* However, the Petitioner does not acknowledge these documents in his Petition.

E. ARGUMENT WHY REVIEW SHOULD NOT BE GRANTED

1. There is no basis to grant the appellant's petition

RAP 16.4 states in part:

(a) Generally Except as restricted by section (d), the appellate court will grant appropriate relief to a petitioner if the petitioner is under a "restraint" as defined in section (b) and the petitioner's restraint is unlawful for one or more of the reasons defined in section (c)...

(c) Unlawful nature of restraint: The restraint must be unlawful for one or more of the following reasons:

(1) The decision in a civil or criminal proceeding was entered without jurisdiction over the person of the petitioner or the subject matter; or

(2) The conviction was obtained or the sentence or other order entered in a criminal proceeding or civil proceeding instituted by the state or local government was imposed or entered in violation of the Constitution of the United States or the Constitution or laws of the State of Washington; or

(3) Material facts exist which have not been previously presented and heard, which in the interest of justice require vacation of the conviction, sentence, or other order entered in a criminal proceeding or civil proceeding instituted by the state or local government; or

(4) There has been a significant change in the law, whether substantive or procedural, which is material to the conviction, sentence, or other order entered in a criminal proceeding or civil proceeding instituted by the state or local government, and sufficient reasons exist to require retroactive application of the changed legal standard; or

(5) Other grounds exist for a collateral attack upon a judgment in a criminal proceeding or civil proceeding instituted by the state or local government; or

(6) The conditions or manner of the restraint of petitioner are in violation of the Constitution of the United States or the Constitution or laws of the State of Washington; or

(7) Other grounds exist to challenge the legality of the restraint of petitioner.

(d) Restrictions: The appellate court will only grant relief by a personal restraint petition if other remedies which may be available to petitioner are inadequate under the circumstances and if such relief may be granted under RCW 10.73.090, .100, and .130. No more than one petition for similar relief on behalf of the same petitioner will be entertained without good cause shown.

In the present case the Petitioner has made no showing that his restraint is unlawful. He has presented no facts to support any of the factors set out in RAP 16.4(c).

The trial and appellate courts had jurisdiction over the petitioner and the subject matter. Petitioner has presented no facts to the contrary.

The verdict and sentence were not in violation of the Constitution of the United States or Washington State. Moreover, there have been no significant changes in the law that are material to the Petitioner's conviction, sentence, or other orders entered; and there are no other legitimate grounds to justify the collateral attack.

2. The Petition is not timely

a. There is no statutory basis to permit the untimely Petition

RCW 10.73.090(1) states: No petition or motion for collateral attack on a judgment and sentence in a criminal case may be filed more than one year after the judgment becomes final if the judgment and sentence is valid on its face and was rendered by a court of competent jurisdiction.

The term "valid on its face" has been interpreted to mean "'without further elaboration'." *In re Pers. Restraint of Stoudmire* 141 Wn.2d 342, 353, 5 P.3d 1240 (2000) (*quoting State v. Ammons*, 105 Wn.2d 175, 188, 713 P.2d 719 (1986)).

Although the defendant may argue that the one year time limit in RCW 10.73.090 does not apply to petitions or motions based on one of the grounds listed in RCW 10.73.100 (such as newly discovered evidence; sufficiency of the evidence; or there has been a significant change in the law, which is material to the sentence), the defendant can make no showing that these grounds apply to his case. *See, RCW 10.73.100 (1), (4), (5), and (6).*

In this case, the defendant's petition for relief is not timely. It was filed long past the one year limitation. The Petitioner has raised no issues that permit review beyond the one year limitation. The Petitioner's PRP must be denied as

untimely.

b. Equitable tolling does not apply

The legislature has erected a jurisdictional time bar to review of untimely collateral attacks upon facially valid judgments. A court's authority to reopen a judgment in a criminal case arises from either a statute or the constitution. The constitutional authority, which is contained in article 1, § 13, is very narrow and does not permit challenges that go beyond the face of a final judgment of a court of competent jurisdiction. Any inquiry beyond the face of a final judgment results from legislative authorization. There is none that applies to the Petitioner's untimely collateral attack.

Legislative authorization for review beyond the face of a final judgment can be found in two separate statutes. The first statute, which applies only to superior courts, is RCW 4.72.010. *See State v. Sampson*, 82 Wn.2d 663, 665, 513 P.2d 60 (1973). The second statute, which applies to all courts of record, is RCW 7.36.130.

The habeas corpus statute, RCW 7.36.130, is derived from a statute passed by the first legislature of Washington Territory. As first enacted, the territorial habeas corpus statute was an absolute prohibition against collateral review of a

facially-valid judgment by a court of competent jurisdiction. Laws of 1854, p. 213, § 445. That restriction was repeatedly upheld by the Washington Supreme Court. *In re Lybarger*, 2 Wash. 131, 25 P. 1075 (1891); *In re Grieve*, 22 Wn.2d 902, 158 P.2d 73 (1945). In 1947, the habeas corpus statute was amended to allow such challenges when the challenge is based upon a constitutional violation. Laws of 1947, chapter 256, § 3. "[T]hese statutory changes have never affected, nor could they affect, the core constitutional inquiry protected by our state suspension clause." *In re Runyan*, 121 Wn.2d 432, 443, 853 P.2d 424 (1993).

In the 1970's, the Supreme Court created personal restraint petitions as the procedural mechanism for carrying out the Legislature's grant of jurisdiction at the appellate court level. *See generally* RAP 16.1(c); *Toliver v. Olsen*, 109 Wn.2d 607, 746 P.2d 809 (1987). These procedural rules, however, did not override or alter the restrictions placed upon the courts' review of collateral attacks by the Legislature. See *In re Rafferty*, 1 Wash. 382, 25 P. 465 (1890).[1]

[1] Once the legislature acted to expand jurisdiction beyond that preserved by Const. art. I, § 13, Const. art. 4, § 4 permits the court to adopt procedural rules for dealing with the legislatively expanded scope of jurisdiction. *Holt v. Morris*, 84 Wn.2d 841, 529 P.2d 1081 (1974), overruled on other grounds, *Wright v. Morris*, 85 Wn.2d 899, 540 P.2d 893 (1975). To the extent any procedural rules regarding collateral attacks conflict with the legislature's substantive grant of authority, the statute controls. *See, e.g., In re Personal Restraint of Johnson*, 131 Wn.2d 558, 563-65, 933 P.2d 1019 (1997); *Abad v. Cozza*, 128 Wn.2d 575, 593 n. 2, 911 P.2d 376 (1996); State v. Walker, 93 Wn. App. 382, 967 P.2d 1289, 1293 (1998).

In 1989, the Legislature acted to restore some finality to criminal judgments by limiting the authority it had previously granted to courts to look behind the face of a judgment and sentence. *Honore v. Board of Prison Terms & Paroles*, 77 Wn.2d 660, 691, 466 P.2d 485 (1970) (Hale, J., concurring). Specifically, the Legislature restricted the number of petitions for relief a prisoner could file with respect to a single conviction and the length of time a prisoner could wait before bringing a petition. *See* RCW 10.73.090; RCW 10.73.100. The time-bar and the legislatively authorized grounds for waiving the one-year time-bar were incorporated into the jurisdictional statute governing all habeas corpus proceedings:

> No court or judge shall inquire into the legality of any judgment or process whereby the party is in custody, or discharge the party when the term of commitment has not expired, in either of the cases following:
>
> (1) Upon any process issued on any final judgment of a court of competent jurisdiction except where it is alleged in the petition that rights guaranteed the petitioner by the Constitution of the state of Washington or of the United States have been violated and the petition is filed within the time allowed by RCW 10.73.090 and 10.73.100.

See RCW 7.36.130.

That the RCW 10.73.090 time-bar is jurisdictional has been recognized by the Court in response to requests to consider collateral attacks filed after the expiration of the one-year period. *See, e.g., Shumway v. Payne*, 136 Wn.2d 383,

397-98, 964 P.2d 349 (1998) ("The statute of limitation set forth in RCW 10.73.090(1) is a mandatory rule that acts as a bar to appellate court consideration of personal restraint petitions filed after the limitation period has passed, unless the petitioner demonstrates that the petition is based solely on one or more of the [grounds contained in RCW 10.73.100]"); *In re the Personal Restraint Petition of Benn*, 134 Wn.2d 868, 938-39, 952 P.2d 116 (1998) (court rules cannot be used to alter or enlarge the time limit contained in RCW 10.73.090). The doctrine of equitable tolling cannot be applied to jurisdictional statutes. *See, e.g., Hazel v. Van Beek*, 135 Wn.2d 45, 61, 954 P.2d 1301 (1998). Cases applying equitable tolling to RCW 10.73.090, are contrary to the Washington Supreme Court authority that acknowledges the jurisdictional nature of the statute. *State v. Gore*, 101 Wn.2d 481, 487, 681 P.2d 227, 39 A.L.R.4th 975 (1984); *State v. Langford*, 67 Wn. App. 572, 581, 837 P.2d 1037 (1992), review denied, 121 Wn.2d 1007 (1993), cert. denied, 510 U.S. 838 (1993). The Supreme Court has not authorized the equitable tolling of the one-year time bar contained in RCW 10.73.090. *In re Carlstad*, 150 Wn.2d 583, 593, 80 P.3d 587 (2003).

Even though equitable tolling is available if a statute is not jurisdictional, the doctrine is used sparingly. *See State v.*

Duvall, 86 Wn. App. 871, 875, 940, P.2d 671 (1997), review denied, 134 Wn.2d 1012 (1998). The predicates for equitable tolling are bad faith, deception, or false assurances by the defendant and the exercise of diligence by the plaintiff. *Millay v. Cam*, 135 Wn.2d 193, 206, 955 P.2d 791 (1998).

In Washington equitable tolling is only appropriate when consistent with both the purpose of the statute providing the cause of action and the purpose of the statute of limitations. *Douchette v. Bethel Sch. Dist.* No. 403, 117 Wn.2d 805, 812, 818 P.2d 1362 (1991). The purpose of RCW 10.73.090 is to further the State's compelling interest in the finality of criminal judgments. Finality serves the goals of rehabilitation, deterrence and punishment. *Kuhlmann v. Wilson*, 477 U.S. 426, 452-53, 106 S. Ct. 2616, 91 L. Ed. 2d 364 (1986); *McCleskey v. Zant*, 499 U.S. 467, 491, 111 S. Ct. 1454, 113 L. Ed. 2d 517 (1991); *Calderon v. Thompson*, 523 U.S. 538, 118, S. Ct. 1489, 1500-01, 140 L. Ed. 2d 728 (1998); *Shumway*, 136 Wn.2d at 399. The purpose of Petitioner's action is to upset a presumptively accurate conviction.

Essentially, Petitioner seeks recognition of a new exception to the existing legislatively recognized exceptions to the one-year period contained in RCW 10.73.100. This is a step that a Court may not take. *See, e.g., Guy F. Atkinson Co.*

v. State, 66 Wn.2d 570, 575, 403 P.2d 880 (1965) ("Courts will not read into statutes of limitations exceptions not embodied therein."); *Spokane v. State*, 198 Wash. 682, 694, 89 P.2d 826 (1939) ("To construe a further exception into the statute ... is to legislate judicially -- an abhorrent thing ...."). It is also a step that this Court refused to take in *In re Personal Restraint Petition of Carlstad*, 150 Wn.2d at 593 (refusing to accept a tardy collateral attack solely because the pro se litigant erroneously believed that the "mailbox rule" applied to state court pleadings).

Here, Petitioner has identified no external impediment to his filing a timely collateral attack. There was no government action that barred his access to the courts or to his legal pleadings between 2003 and the present. The defendant's own inaction and neglect do not provide any exception to the one year time limit nor a basis for equitable tolling. This Court should refuse to consider the Petitioner's untimely PRP.

3. The Petitioner Cannot Obtain the Relief Requested Where He Failed to Avail Himself of His Right to Appeal

A defendant who has not appealed an issue may not use a personal restraint petition to raise issues he could have raised in a direct appeal, except for "grave constitutional

errors." *See State v. Hall*, 18 Wn. App. 844, 847 (1977) (quoting *Koehn v. Pinnock*, 80 Wn.2d 338, 340, 494 P.2d 987 (1972)).

Here the Petitioner did appeal his conviction. In his appeal, he failed to raise any challenge to his underlying DUI conviction. His petition should be denied.

4. The Petitioner Cannot Obtain the Relief Requested Where The State Properly Proved the Underling DUI Conviction by a Preponderance of the Evidence

The State bears the burden of proving the existence of prior convictions by a preponderance of the evidence. *In re Pers. Restraint of Cadwallader*, 155 Wash.2d 867, 876, 123 P.3d 456 (2005); *State v. Lopez*, 147 Wash.2d 515, 519, 55 P.3d 609 (2002). The best evidence to establish a defendant's prior conviction is the production of a certified copy of the prior judgment and sentence. *Lopez*, 147 Wash.2d at 519, 55 P.3d 609 (citing *State v. Ford*, 137 Wash.2d 472, 480, 973 P.2d 452 (1999)). *However*, the State may introduce other comparable documents of record or transcripts of prior proceedings to establish criminal history. *Ford* at 480 (citing *Cabrera*, 73 Wash.App. at 168, 868 P.2d 179.)

The State's burden under is not overly difficult to meet. The State must introduce evidence of some kind to support

the alleged criminal history. *Ford* at 480. Facts at sentencing need not be proved beyond a reasonable doubt. Washington courts have long held that in imposing sentence, the facts relied upon by the trial court must have some basis in the record. *Ford* at 482 (citing *State v. Bresolin*, 13 Wash.App. 386, 396, 534 P.2d 1394 (1975)).

In the present case, the State offered other comparable documents in the form of a certified record of the defendant's driving abstract and his criminal history record. The trial court properly found the State had proven the prior DUI by a preponderance of the evidence.

Moreover, if the State alleges the existence of prior convictions at sentencing and the defense fails to "specifically object" before the imposition of the sentence, then the case is remanded for resentencing and the State is permitted to introduce new evidence. *State v. Bergstrom*, 162 Wash.2d 87, 92-94, 169 P.3d 816, 818 - 819 (2007).

If the State alleges the existence of prior convictions and the defense not only fails to specifically object but agrees with the State's depiction of the defendant's criminal history, then the defendant waives the right to challenge the criminal history after sentence is imposed. *Id.* (*citing In re Pers.*

Restraint of Goodwin, 146 Wash.2d 861, 874, 50 P.3d 618 (2002)).

The petition should be denied where the State proved the underlying conviction by a preponderance. The defendant has not provided a sufficient record to show his specific objection to the underlying conviction. Even if the defendant had specifically objected, and the Court found the State had not proved the conviction by a preponderance, then the proper remedy would have been to remand for an evidentiary hearing.

Moreover, in the present case, the State provided evidence of the conviction before sentencing, and then supplemented the record with additional evidence of the conviction at the time of sentencing. The Petitioner's argument based on *State v. Rivers*, 130 Wn. App. 689 (2006), is without merit where the State did provide the certified documents conviction documents. .

F. CONCLUSION

The PRP should be denied because the Petitioner has not presented any basis to grant review under RAP 16.4. The petition is not timely and equitable tolling does not apply to extend the filing period.

The PRP should be denied where the defendant failed to raise the issue on previous appeal.

Additionally, the State sufficiently proved the underlying conviction by a preponderance of the evidence.

Dated this 4 day of October 2008

Respectfully Submitted by:

KARL F. SLOAN, WSBA #27217
Prosecuting Attorney
Okanogan County, Washington

Jun 02 05 01:00p Lincoln Co District C 481 p.2

Attachment

03-1-00415-2

FILED
05-11-24
OKANOGAN COUNTY
SUPERIOR COURT
JACKIE ... CLERK

91-3634
0010093

☐ INFRACTION ☒ CRIMINAL ☒ TRAFFIC ☐ NON-TRAFFIC

☐ STATE OF WASHINGTON PLAINTIFF VS. NAMED DEFENDANT
☒ COUNTY OF LINCOLN
☐ CITY/TOWN OF ____________ WASHINGTON

IN THE ☒ DISTRICT ☐ MUNICIPAL COURT

STATE OF WASHINGTON, COUNTY OF LINCOLN — WA-0220000 — COURT NO. 4-22-113

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON

DRIVER'S LICENSE NO. ADOLPVR133D9 — STATE WA — EXPIRES 92 — SOCIAL SECURITY NUMBER 536-62-5781

NAME: LAST ADOLPH — FIRST Vincent — INITIAL Randolph
☐ INTERPRETER NEEDED
☐ IF NEW ADDRESS
☐ PASSENGER

ADDRESS: RT 2 Box 50-2

CITY Omak — STATE WA — ZIP CODE 98841 — EMPLOYER

SEX M — RACE I — DATE OF BIRTH 052857 — HEIGHT 507 — WEIGHT 150 — EYES BRO — HAIR BK — RESIDENTIAL PHONE NO

VIOLATION DATE ON OR ABOUT: MON 12 — DAY 30 — YR 91 — TIME 24 HOUR 2214

AT LOCATION: 5 W of Creston on Hwy 2 — CITY/COUNTY OF Lincoln

DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND

VEHICLE LICENSE NO. 240FZS8 — STATE WA — EXPIRES 92 — VEH YR 80 — MAKE LIN — MODEL Long (?) — STYLE — COLOR Lt/Wht

TRAILER LICENSE NO. / STATE — EXPIRES — VEH YR — TRAILER LICENSE NO./STATE — EXPIRES — TR YR

OWNER/COMPANY IF OTHER THAN DRIVER — ADDRESS — CITY — STATE — ZIP CODE

ACCIDENT — NO POL F — BAC READING .17 — COMMERCIAL VEHICLE ☐ YES ☐ NO — HAZARD PLACARD ☐ YES ☐ NO — EXEMPT VEHICLE — ☐ FARM ☐ R V — ☐ FIRE ☐ OTHER

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES/INFRACTIONS

VIOLATION/STATUTE CODE: RCW 46.61.502 — DESCRIPTION: Driving a motor vehicle while under the influence of Intoxicating Liquor

VIOLATION/STATUTE CODE — DESCRIPTION

91-4343

PENALTY/BAIL: U.S. FUNDS $ MAND

APPEARANCE DATE: MO — DY — YR — TIME — A.M./P.M. — BOOKING DATE

DATE NOTICE ISSUED 123091

WITHOUT ADMITTING HAVING COMMITTED EACH OF THE ABOVE INFRACTIONS/OFFENSES, I PROMISE TO RESPOND AS DIRECTED ON THIS NOTICE

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE ISSUED ON BEHALF OF THE STATE ... TO BELIEVE AND DO BELIEVE THE ABOVE NAMED PERSON COMMITTED THE ABOVE INFRACTION/OFFENSE CONTRARY TO LAW

OFFICER K.T. Howard — NUMBER L28

X Booked — DEFENDANT'S SIGNATURE

DATE 123091 — PLACE Lincoln — WA

INFRACTION			COMPLAINT/CITATION			PENALTY		
CNT	RESPONSE	DISPOSITION	CHG	PLEA	CNG	FINDING	FINE	SUSPENDED	SUB-TOTAL
1				G NG	G	G NG D BF	$ 560.00	$	$ 560.00
2	C NC	E NC	2	G NG		G NG D BF	$	$	$ 111.00
							CAA		

PENDING JUDGMENT DATE 3-19-92 — JAIL DAYS — DAYS SUSPENDED — CREDIT FOR TIME SERVED — OTHER COSTS $

ABSTRACT MAILED TO OLYMPIA 3-20-92 — RECOMMENDED REINSTATEMENT/EXTENSION OF SUSPENSION — LICENSE SURRENDER DATE — TOTAL COST 822.00

671.

WASHINGTON UNIFORM COURT DOCKET-COURT COPY

0010093

This is to certify that the foregoing is a true copy (photographic) of a record on file in the District Court of Lincoln County, WA.
[signature]
Clerk, Lincoln County District Court

70

DDAC20SX2.IDH LINCOLN COUNTY DISTRICT COURT PAGE. 3
06/02/2005 12:46 PM D O C K E T

CASE. 10093 ISH
Criminal Traffic
Agency No.

DEFENDANT
ADD, PHIL VINCENT R JR
151 DUTCH ANDERSON RD
CHAK WA 99841

Home Phone: 5098263720
Work Phone: 5096342737

AKA No aliases on file.

OFFICER
87056 LSH NEMBACH, KELLY

CHARGES

Violation Date: 12/30/1991		DV Plea	Finding
1 46.61.502	DUI	Guilty	Guilty

TEXT

S	12/31/1991	Case Filed on 12/31/1991		DJS
	03/19/1992	Plea/Response of Guilty Entered on Charge 1		
		Finding/Judgment of Guilty for Charge 1		
		Court Imposes Fine on Charge 1:	550.00	
		with 0.00 Suspended		
		Court Imposes Jail Time of 1 D on Charge 1		
		with 0 D Suspended		
		Driver's License Suspended on Charge 1 for 90 D		
	07/26/1993	OFF 1 NEMBACH, KELLY Added as Participant		
		Accounts Receivable Created	396.00	
		Case Scheduled on Time Pay Agreement 1 for:	471.00	
	08/03/1993	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
	08/31/1993	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		
	10/05/1993	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		
	11/02/1993	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		
	11/30/1993	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		
	01/04/1994	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		
	01/11/1994	94011100067 Time Payment Received	25.00	DJS
	02/01/1994	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
	02/08/1994	94039100103 Time Payment Received	100.00	DJS
	03/02/1994	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
	04/05/1994	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		
	04/12/1994	94102100030 Time Payment Received	50.00	DJS
	05/03/1994	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
	05/06/1994	94126100044 Time Payment Received	25.00	DJS
	05/20/1994	94140100034 Time Payment Received	25.00	
	05/31/1994	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
	06/06/1994	Time Pay Agreement 1 Rescheduled For:	171.00	DJS
		94157100058 Time Payment Received	25.00	
	07/01/1994	94182100002 Time Payment Received	25.00	
	08/30/1994	94242100071 Time Payment Received	50.00	
	11/01/1994	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
	11/15/1994	94319100056 Time Payment Received	25.00	DJS
	11/29/1994	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		SYS
	01/03/1995	DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1		
	01/30/1995	95030100022 Time Payment Received	25.00	DJS

Docket continued on next page

DD7020SX LDH LINCOLN COUNTY DISTRICT COURT PAGE: 2
06/02/2005 12:46 PM D O C K E T

CASE: 10093 LSH
Criminal Traffic
Agency No.

DEFENDANT
ADOLPH, VINCENT N JR

(EXT) - Continued
S 01/31/1995 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1 SYS
02/28/1995 DELINQUENT Time Pay Statement Sent for Time Pay Agreement 1
03/03/1995 95062100043 Time Payment Received 21.00 DJS
Case Paid in Full and Removed from Time Pay
Charge 1: Def. complied with Jail Sentence
Case Disposition of CL Entered

ACCOUNTING SUMMARY

	Total Due	Paid	Credit	Balance
Timepay: N	396.00	396.00		

ADDITIONAL CASE DATA
Case Disposition
Disposition: Closed Date: 03/03/1995
License Surrender Date: 01/01/1800

Personal Description
Sex: M Race: I DOB: 03/27/1967
Drlic.No.: ADOLPVR433D7 State: WA Expires: 1994
Employer:
Height: 5 7 Weight: 150 Eyes: BRO Hair: BLK
Identifying Information: TRUE NAME

End of docket report for this case

This is to certify that the foregoing is a true copy (photographic) of a record on file in the District Court of Lincoln County, WA.

Linda D. Gibson
Clerk, Lincoln County District Court